

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	
)	Crim. No. 05-10019-RGS
DANIEL W. McELROY and)	
AIMEE J. KING McELROY,)	
)	
defendants.)	
_____)	

STIPULATIONS

The parties in the above-captioned matter agree and stipulate that:

1. Government Exhibits 1-3 are authentic public records filed in the United States District Court for the District of Massachusetts, specifically a Complaint and two Judgments, and are admissible for all purposes pursuant to Federal Rule of Evidence 803(8), subject to an objection as to relevance or unfair prejudice.

2. Government Exhibits 15-18 are authentic public records of the Commonwealth of Massachusetts, specifically Articles of Organization of the Dan Agency, Inc., the Daily Agency, Inc., Daily A. King Labor, Inc. and Precission Temp Corp., and are admissible pursuant to Federal Rule of Evidence 803(8) for all purposes, subject to an objection as to relevance or unfair prejudice.

3. Government Exhibits 100-102, 104-142, 150-186 and 190-191 are authentic public records and business records of the United States that are made and maintained in the regular course of business, specifically tax returns and reports of tax filings of Daily A. King Labor, Inc., Pro Temp Company, Dich Trieu, and Precission Temp Corp., and are admissible pursuant to Federal Rules

of Evidence 803(6) and 803(8) for all purposes, subject to an objection as to relevance or unfair prejudice.

4. Government Exhibits 200-203, including all sub parts, are authentic insurance records of Liberty Mutual Insurance Co. that are made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

5. Government Exhibits 204-206, including all sub parts, are authentic insurance records of Reliance National Indemnity Insurance Co. that are made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

6. Government Exhibit 207, including all sub parts, are authentic insurance records of AIM Mutual Insurance Co. that are made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

7. Government Exhibits 208 and 220-222, including all sub parts, are authentic insurance records of American Policy Holders' Insurance Company that are made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

8. Government Exhibits 223-224, including all sub parts, are authentic insurance records of AIM Mutual Insurance Co. that are made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

9. Government Exhibits 225, including all sub parts, is an authentic insurance record of American Home Assurance Co. that is made and maintained in the regular course of business and is admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

10. Government Exhibit 226 is an authentic business record of the Workers' Compensation Rating and Inspection Bureau of Massachusetts Insurance Co., specifically an Application for Workers' Compensation Insurance, that is made and maintained in the regular course of business and is admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

11. Government Exhibit 227 is an authentic insurance record of Reliance National Indemnity Insurance Co. that is made and maintained in the regular course of business and is admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

12. Government Exhibits 228-229, including all sub parts, are authentic insurance records of Gulf Insurance Co. that are made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

13. Government Exhibits 400-403, 405, 413, and 413A-D are authentic checks issued by Rockland Trust Co. that were made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

14. Government Exhibits 404, 407, 408, 414, and 414A-F are authentic checks issued by Eastern Bank that were made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

15. Government Exhibits 406, 410A, 411A-F, 412, 412A-G, 415-422, 424, 425, 425A-B, 430, and 430A-C are authentic checks issued by Fleet Bank of Massachusetts that were made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes, subject to an objection as to relevance or unfair prejudice.

16. Government Exhibits 410, 411, and 424A-B are authentic checks issued by Citizens Bank that were made and maintained in the regular course of business and are admissible pursuant to Federal Rule of Evidence 803(6) for all purposes subject to an objection as to relevance or unfair prejudice.

17. Government Exhibit 300 is a memorandum from Aimee King to Office staff re “Supervisory Levels,” dated September 4, 1997 that was found in Aimee King McElroy’s office (Room C)¹ at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

18. Government Exhibits 352 and 352A-E are two spreadsheets labeled Daily A. King Labor W/C 1998/99 and IRS Forms 941 for Daily A. King Labor, Inc. for the quarters ending 9/30/98, 12/31/98, 3/31/99, and 6/30/99 that were found, attached together, in Aimee King McElroy’s office (Room C) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

¹ Room letters refer to the rooms at 14 EG Bristol Drive, Easton, MA as they are identified on Government Exhibit 4.

19. Government Exhibit 375 is a computer disk containing quarterly reporting information that was found at the computer desk in Aimee King McElroy's office (Room C) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

20. Government Exhibits 375A-T are computer disks containing payroll spreadsheets that were found in the middle left drawer of the desk in Aimee King McElroy's office (Room C) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

21. Government Exhibits 376A, 376B, and 376C are payroll spreadsheets contained on computer disks that were found in the middle left drawer of the desk in Aimee King McElroy's office (Room C) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

22. Government Exhibit 306 is a "weekly schedule" for the distribution of payroll that was found in Daniel McElroy's office (Room B) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

23. Government Exhibits 301, 302 and 303 are memoranda that were found in the reception area (Room A) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

24. Government Exhibits 317, 318A, 318C, 319, and 320 are payroll sign sheets that were found in Charles Wallace's office (Room L) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

25. Government Exhibits 350 and 350A-I are payroll sign sheets and envelopes containing cash that were found in the safe located in Charles Wallace's office (Room L) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

26. Government Exhibit 354 are empty labeled envelopes that were found on top of the safe located in Charles Wallace's office (Room L) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

27. Government Exhibits 314C-F, 315, 315A, 316 and 316A are payroll sign sheets that were found in a storage room (Room D) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

28. Government Exhibit 304 is a business card found in George Wallace's brief case in an office (Room J) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

29. Government Exhibits 313, 313A, 314B, 314G, 314H, 315B, 315C, 315D, 316B, 316C, 316D, 318, 318B, 321, and 322 are payroll sign sheets that were found in a storage/file closet (Room O-1) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

30. Government Exhibit 349 is an envelope with a Daily A. King time sheet that was found in a storage/file closet (Room O-1) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

31. Government Exhibit 360 is a check stub and list that were found, attached together, in a storage/file closet (Room O-1) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

32. Government Exhibits 380A, 380B and 380C are payroll spreadsheets contained on computer disks found in a storage/file closet (Room O-1) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

33. Government Exhibit 381 are computer disks found in a a storage/file closet (Room O-1) at 14 EG Bristol Drive, Easton, MA on June 26, 2001.

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Dated: January 11, 2008